

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$40,586.23 in U.S. Currency,

Defendant.

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Civil No. 11-03276-CV-S-DGK

ORDER OF DEFAULT JUDGMENT OF FORFEITURE

Plaintiff, United States of America, has moved this Court, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, for entry of a final judgment by default. Plaintiff has shown that there was reasonable cause for seizure of the defendant \$40,586.23 in United States currency, that a complaint for forfeiture was filed, that all known potential claimants were served with process, and that any and all other claimants have been served by publication. One known potential claimant, Carla Edwards, filed an answer to the civil forfeiture complaint on August 22, 2011. However, Carla Edwards voluntarily dismissed her claim on December 26, 2011. Known potential claimant Carlous Horton did not file a claim in the civil forfeiture proceeding because he has been charged in a related criminal case (Crim. No. 11-03021-01-CR-S-GAF) with criminal forfeiture of the defendant \$40,586.23 in U.S. currency. Therefore, Carlous Horton's interest in the defendant property will be addressed in the criminal proceeding, and this Court will not address said interest here. No other potential claimant filed a claim to the defendant property. Therefore, it is hereby

ORDERED, ADJUDGED AND DECREED:

(1) that a default judgment of forfeiture is hereby entered against the defendant property, \$40, 586.23 in United States currency;

(2) that all persons claiming any right, title or interest in or to the defendant property are held in default;

(3) that potential claimant Carlous Horton's interest in the defendant property will be addressed in the related criminal proceeding;

(4) that nothing in this Order shall preclude Carlous Horton from defending his interest in the defendant currency in the related criminal proceeding;

(5) that all other claims and interests in the defendant property are forever foreclosed and barred; and

(6) that the Clerk of the Court shall enter a judgment consistent with this order.

SO ORDERED, this 4th day of January, 2012.

/s/ Greg Kays
GREG KAYS
United States District Court Judge